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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,817	10/20/2003	Hideaki Deguchi	117564	2606
25944	7590	05/12/2005		
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320				
EXAMINER LEE, SUSAN SHUK YIN				
ART UNIT		PAPER NUMBER		
2852				

DATE MAILED: 05/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/687,817

Applicant(s)

DEGUCHI, HIDEAKI

Examiner

Susan S. Lee

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PM

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14-23 is/are allowed.
- 6) ☒ Claim(s) 1, 2 and 13 is/are rejected.
- 7) ☒ Claim(s) 3-12 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/20/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Regimbal et al. (6,507,768) in view of Hiroshima et al. (5,159,393) and Cheney (6,374,062).

Regimbal et al. discloses a sheet handling device 12 or a printer 12 (note column 3, lines 1-2) having an image carrying member 36; a transfer member 38; and different types of sheets 16 that is handled by printer 12. The types of sheets 16 include letter and legal sized paper, envelopes, transparencies, and many more. Each sheet type can have unique physical dimensions creating a challenge for determining the actual transport speed when varying sheet types pass through sheet handling device 12. A controller 18 can determine the type of each individual sheet by identifying the sheet's input bin. Memory 22 contains a table of values relating each sheet type to its physical dimensions. Controller 18, knowing the type of sheet, acquires the physical dimensions of the sheet from the memory 22 and determines the individual transport speed using those dimensions and the information provided by sensor 20. Note column 3, line 1 – column 4, line 7. It is recognized in the art of electrophotography that the types of

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sheets 16 such as envelopes, transparencies, and letter paper have different thicknesses.

Regimbal et al. differs from the instant invention by not disclosing an input member through which a width and a type of the recording medium are input; and a bias applying member that applies a transfer bias to the transfer member.

Hiroshima et al. discloses a transfer device that transfers image formed by the image forming device onto a transfer material while the transfer material is conveyed through the transfer position together with the image bearing member. The transfer device is a rotatable roller or transfer roller that is urged toward the photosensitive drum 1 and has a predetermined bias voltage applied to it from the electric voltage source E. Note abstract and column 3, lines 52-63.

Cheney discloses a device 100 such as a printer, copier, or any type of device employing a media-handling mechanism. The device 100 includes a control station 112 having a display 114 and user-operated input keys 116 and 118. A user can set various functions of device 100 by using input keys 116 and 118 and verify their setting or view information, provided by device 100, through display 114. For example, a user may input the size, type, or other parameters pertaining to media stored within media input bins 104, 106, and 108. Another embodiment describes a device 200 with a processor 202 and a memory 204. A device function 206 represents the function performed by device 200 such as one or more of printing, copying, faxing, or scanning functions, for example. An input/output 208 provides an interface for the transfer of information from, to, or between device 200 and an external device or a user. A user may select or set

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various parameters through a computer software interface when selecting various print options of the print job. Alternatively, for example, input/output interface 208 includes a keypad and a display (similar to control station 112) which allows a user to program, select, or set various parameters of device 200, or includes a device to receive a machine-readable medium. The various parameters refer to media size and media type, as discussed further herein, which may further include print format (e.g., portrait or landscape), wear factor, media type grade, media size factor, media type factor, and contamination grade. Note column 3, line 57- column 4, line 46.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the apparatus of Regimbal et al. with that of Hiroshima et al. so that a central void created by OHP sheet can be avoided as disclosed by Hiroshima et al. (note column 2, lines 5-14) and that of Cheney so that a user can select the media type and the media size more readily to be used for printing.

Allowable Subject Matter

Claims 3-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 14-23 are allowed over the prior art of record.


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Setoriyama, Kamimura et al., Otomo et al., and Frodl et al. disclose art in transport speeds in the image forming apparatus. Hisada discloses applying transfer bias current according to a size and thickness of sheet. Suzuki et al.

(Japan, 170) discloses changing transfer current flow corresponding to the output of the medium detecting means. Livingston discloses a menu for selecting a type and a size of a sheet.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan S. Lee whose telephone number is 571-272-2137. The examiner can normally be reached on Mon. - Fri., 10:30-8:00, Second Monday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Art Grimley can be reached on 571-272-2136 or 571-272-2800 (Ext. 52). The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Susan S. Lee
Primary Examiner
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